

North Dakota

Grievance Procedure: Filing a Complaint under Title III of the Help America Vote Act

If your access to voting was difficult, you have the right to file a complaint with the Secretary of State of North Dakota. Reasons for filing may include, but are not limited to:

- ✓ Inaccessible voting site, including access barriers to the facility
- ✓ Inaccessible ballot, including lack of assistive devices and/or persons
(Effective January 1, 2006)
- ✓ Denied ballot as a result of personal disability

A complaint filed under Title III of the Help America Vote Act must be in writing, notarized, and be signed and sworn by the person filing the complaint and state the alleged violation of federal or state law.

At the request of a complainant, the Secretary of State shall establish a procedure for providing a review on the record.

If the Secretary of State determines there is a violation of a provision of Title III of HAVA [Pub. L. 107-252; 116 Stat. 1666; 42 U.S.C. 15481-15502], the Secretary of State shall determine and provide an appropriate remedy.

If the Secretary of State determines that a violation of Title III of HAVA has not occurred, the Secretary of State shall dismiss the complaint and publish the results of the review.

The Secretary of State shall make a final determination with respect to a complaint within ninety days of the date the complaint is filed with the Secretary of State, unless the complainant consents to a longer period for the Secretary of State to make a determination.

If the Secretary of State fails to meet the ninety-day deadline for determining a complaint, the complaint must be resolved within sixty days under an alternative dispute resolution procedure, which may include mediation, binding arbitration or a court order, depending on the complaint filed.

The Secretary of State is authorized to consolidate complaints. [NDCC 16.1-01-16]

CONTACT INFORMATION:

Alvin A. Jaeger
Secretary of State
State of North Dakota
600 E Broadway Avenue Dept. 108
Bismarck ND 58505-0500

(701) 328-4146
(800) 352-0867, Ext. 8-4146
(800) 366-6888 or 711 TTY

*was your access
to voting difficult*

*For instructions on
filing a complaint,
contact the
Secretary of
State's Office at
800-352-0867
Ext. 8-4146 or
ask for Elections*